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No Court Until June? Texas Judicial Agency Urges Ban of In-Person Proceedings

The Texas Office of Court Administration has recommended that Texas courts delay in-person proceedings of any size until June 1, in a new guidance document for courts.

By Angela Morris | April 22, 2020



Photo: Lisa S./Shutterstock.com

Texas lawyers might not be getting back into courthouses until at least June 1.

The Texas Office of Court Administration has recommended that Texas courts delay in-person proceedings of any size until June, in a new guidance document for courts.

Emergency orders by the Texas Supreme Court and Texas Court of Criminal Appeals have already prohibited courts from conducting proceedings in nonessential cases that would bring together gatherings that violate maximum group-size limits. And the high courts have instead encouraged the use video and telephone hearings.

Now, the office's latest guidance document (<https://txcourts.gov/media/coronavirus-covid-19-court-operation-guidance/>) said that courts should only do in-person proceedings if they cannot hold video or telephonic meetings. Administrative Director David Slayton didn't immediately return a call or email seeking comment.

The guidance said that even when the courts have to do in-person proceedings, they shouldn't let more than 10 people gather in or around the courtroom, and they should follow social-distancing guidelines. Courts should require attendees to wear face coverings, too, the guidance said.

"No non-essential proceedings should be held in-person," the document said, adding that there's no limit on using remote proceedings to handle those matters.

The administrative office plans to release further guidance about whether teleworking employees can start working in the courthouses again, and how courts should start handling in-person proceedings as soon as government orders allow them again, it said.

Some courts have changed their emergency orders to follow the administrative office's new guidance.

Judge Emily Miskel of Collin County's 470th District Court tweeted on Tuesday that the district courts in her county withdrew their previous COVID-19 orders and would be following the guidance.